



AF 11617
OFGS File No.: P/1259-636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: December 27, 2005

Fernand LABRIE

Confirmation No.: 4181

Serial No.: 10/052,824

Group Art Unit: 1617

Filed: November 7, 2001

Examiner Shaojia A. Jiang

For: SELECTIVE ESTROGEN RECEPTOR MODULATORS IN COMBINATION WITH ESTROGENS

Mail Stop AF

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated **August 8, 2006** of the Primary Examiner finally rejecting claims 1-6 and 13-28.

The Appeal Fee (\$500 - Non-Small Entity) is

☐ Enclosed

☐ Not required (fee paid in prior appeal)

☒ **Charge to Deposit Account No. 15-0700**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 8, 2007:

William O. Gray, III

Name of applicant, assignee or
Registered Representative

Signature

February 8, 2007

Date of Signature

Respectfully submitted,

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